

Presented to the Court by the foreman of the  
Grand Jury in open Court, in the presence  
of the Grand Jury and FILED in the U.S.  
DISTRICT COURT at Seattle, Washington  
January 27, 2021

WILLIAM M. McCOOL, Clerk

By Seamus Kattner Deputy

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

MICHAEL JOHN SCOTT,  
Defendant.

CASE NO. CR20-0018 RJB

**FIRST SUPERSEDING INDICTMENT**

The Grand Jury charges that:

**COUNT 1**  
**(Conspiracy to Distribute Controlled Substances)**

Beginning at a time unknown, but not earlier than December 12, 2018, and continuing until on or about January 30, 2020, in Snohomish and Whatcom Counties, within the Western District of Washington, and elsewhere, MICHAEL JOHN SCOTT, and others known and unknown, did knowingly and intentionally conspire to distribute substances controlled under Title 21, United States Code, Section 812, Schedules I and II, to wit: heroin, methamphetamine, and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl), contrary to the provisions of Title 21, United States Code.

FIRST SUPERSEDING INDICTMENT

*United States v. Michael John Scott*, CR20-0018 RJB - 1

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101  
(206) 553-7970

1 The Grand Jury further alleges that MICHAEL JOHN SCOTT's conduct as a  
 2 member of the conspiracy charged in Count 1, which includes the reasonably foreseeable  
 3 conduct of the other members of the conspiracy charged in Count 1, involved 100 grams  
 4 or more of a mixture or substance containing a detectable amount of heroin; 5 grams and  
 5 more of methamphetamine, its salts, isomers, and salts of its isomers; and 40 grams or  
 6 more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-  
 7 phenylethyl)-4-piperidinyl] propanamide (Fentanyl), all in violation of Title 21, United  
 8 States Code, Section 841(b)(1)(B).

9 The Grand Jury further alleges that MICHAEL JOHN SCOTT committed this  
 10 offense while on release pursuant to an appearance bond dated December 12, 2018,  
 11 issued by the United States District Court for the Western District of Washington, in  
 12 *United States v. Michael John Scott*, case number CR18-5579-RBL.

13 All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1), and  
 14 846, and Title 18, United States Code, Section 3147(1).

## 15 **COUNT 2**

### 16 **(Possession of Controlled Substances With Intent to Distribute)**

17 On or about January 30, 2020, at Whatcom County, within the Western District of  
 18 Washington, MICHAEL JOHN SCOTT did knowingly possess, with the intent to  
 19 distribute, and aid and abet the possession of with the intent to distribute, substances  
 20 controlled under Title 21, United States Code, Section 812, Schedules I and II, to wit,  
 21 heroin and N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl).

22 The Grand Jury further alleges that this offense involved 100 grams or more of a  
 23 mixture or substance containing a detectable amount of heroin and 40 grams or more of a  
 24 mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-  
 25 4-piperidinyl] propanamide (Fentanyl), in violation of Title 21, United States Code,  
 26 Section 841(b)(1)(B).

27 The Grand Jury further alleges that this offense was committed during and in  
 28 furtherance of the offense charged in Count 1 (Conspiracy).

1 The Grand Jury further alleges that MICHAEL JOHN SCOTT committed this  
2 offense while on release pursuant to an appearance bond dated December 12, 2018,  
3 issued by the United States District Court for the Western District of Washington, in  
4 *United States v. Michael John Scott*, case number CR18-5579-RBL.

5 All in violation of Title 21, United States Code, Sections 841(a)(1) and  
6 841(b)(1)(B), and Title 18, United States Code, Sections 3147(1) and 2.

7 **COUNT 3**

8 **(Possession of Controlled Substances With Intent to Distribute)**

9 On or about January 30, 2020, at Snohomish, within the Western District of  
10 Washington, MICHAEL JOHN SCOTT did knowingly possess, with the intent to  
11 distribute, and aid and abet the possession of with the intent to distribute, substances  
12 controlled under Title 21, United States Code, Section 812, Schedules I and II, to wit,  
13 methamphetamine.

14 The Grand Jury further alleges that this offense involved 5 grams and more of  
15 methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21,  
16 United States Code, Section 841(b)(1)(B).

17 The Grand Jury further alleges that this offense was committed during and in  
18 furtherance of the offense charged in Count 1 (Conspiracy).

19 The Grand Jury further alleges that MICHAEL JOHN SCOTT committed this  
20 offense while on release pursuant to an appearance bond dated December 12, 2018,  
21 issued by the United States District Court for the Western District of Washington, in  
22 *United States v. Michael John Scott*, case number CR18-5579-RBL.

23 All in violation of Title 21, United States Code, Sections 841(a)(1) and  
24 841(b)(1)(B), and Title 18, United States Code, Sections 3147(1) and 2.

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**COUNT 4**  
**(Felon in Possession of a Firearm)**

On or about January 30, 2020, at Snohomish, within the Western District of Washington, MICHAEL JOHN SCOTT, knowing that he had been convicted of the following crimes punishable by a term of imprisonment exceeding one year, to wit:

a. *Violation of the Uniform Controlled Substances Act (Possess With Intent to Manufacture or Deliver Cocaine)*, on October 17, 2014, in King County Superior Court, Case No. 14-1-04120-5 SEA; and

b. *Conspiracy to Distribute Controlled Substances*, on January 24, 2020, in the United States District Court for the Western District of Washington, Case No.

CR18-5579RBL,

did knowingly possess, in and affecting interstate and foreign commerce, a firearm, to wit: a Colt Delta Elite 10mm semi-automatic pistol, bearing serial number DS42017, which had been shipped and transported in interstate and foreign commerce.

The Grand Jury further alleges that MICHAEL JOHN SCOTT committed this offense while on release pursuant to an appearance bond dated December 12, 2018, issued by the United States District Court for the Western District of Washington, in *United States v. Michael John Scott*, case number CR18-5579-RBL.

All in violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 3147(1).

**COUNT 5**  
**(Possession of a Firearm in Furtherance of Drug Trafficking)**

On or about January 30, 2020, at Snohomish, within the Western District of Washington, MICHAEL JOHN SCOTT knowingly and intentionally possessed a firearm, to wit: a Colt Delta Elite 10mm semi-automatic pistol, bearing serial number DS42017, in furtherance of a drug trafficking offense for which he may be prosecuted in a Court of the United States, to wit: *Conspiracy to Distribute Controlled Substances*, as charged in Count 1, above.

1 The Grand Jury further alleges that MICHAEL JOHN SCOTT committed this  
 2 offense while on release pursuant to an appearance bond dated December 12, 2018,  
 3 issued by the United States District Court for the Western District of Washington, in  
 4 *United States v. Michael John Scott*, case number CR18-5579-RBL.

5 All in violation of Title 18, United States Code, Sections 924(c)(1)(A) and  
 6 3147(1).

7 **COUNT 6**  
 8 **(Conspiracy to Commit Money Laundering)**

9 Beginning at a time unknown, but not earlier than December 12, 2018, and  
 10 continuing until on or about January 30, 2020, in Snohomish and Whatcom Counties,  
 11 within the Western District of Washington, and elsewhere, MICHAEL JOHN SCOTT,  
 12 and others known and unknown, unlawfully and knowingly combined, conspired,  
 13 confederated and agreed together and with each other to commit certain money  
 14 laundering offenses under Title 18, United States Code, Section 1956, as follows:

15 **1956(a)(1)(B)(i)**

16 Did conduct and attempt to conduct financial transactions, that is: transactions  
 17 involving the movement of funds by wire and other means affecting interstate and foreign  
 18 commerce, which in fact involved the proceeds of specified unlawful activity, that is,  
 19 conspiracy to distribute controlled substances, in violation of Title 21, United States  
 20 Code, Sections 841(a)(1) and 846, knowing that the transactions were designed in whole  
 21 or in part to conceal and disguise the nature, the location, the source, the ownership, and  
 22 the control of the proceeds of the specified unlawful activity, in violation of Title 18,  
 23 United States Code, Section 1956(a)(1)(B)(i); and

24 **1956(a)(2)(A)**

25 Did transport, transmit, and transfer funds, and did cause other persons to do so,  
 26 from a place inside the United States, that is, the Western District of Washington, to a  
 27 place outside the United States, that is, Mexico, with the intent to promote the carrying on  
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1 of specified unlawful conduct, that is, the Conspiracy to Distribute Controlled  
2 Substances, as charged in Count 1 of this Indictment.

3 The Grand Jury further alleges this offense was committed during and in  
4 furtherance of the conspiracy charged in Count 1, above.

5 The Grand Jury further alleges that MICHAEL JOHN SCOTT committed this  
6 offense while on release pursuant to an appearance bond dated December 12, 2018,  
7 issued by the United States District Court for the Western District of Washington, in  
8 *United States v. Michael John Scott*, case number CR18-5579-RBL.

9 All in violation of Title 18, United States Code, Sections 1956(h) and 3147(1).

10 **COUNT 7**  
11 **(Money Laundering)**

12 On or about January 29, 2020, MICHAEL JOHN SCOTT, and others known and  
13 unknown, did knowingly transport, transmit, and transfer, and attempt to transport,  
14 transmit, and transfer, and did aid and abet in the transport, transmission, and transfer,  
15 funds, that is, \$2,000, from a place inside the United States, that is, Everett, in the  
16 Western District of Washington, to a place outside the United States, that is, Mexico, via  
17 a transfer by Individual 1 through DoEx Dollar Exchange, transaction number  
18 AR7270000007610, to Individual 2, with the intent to promote the carrying on of  
19 specified unlawful conduct, that is, the Conspiracy to Distribute Controlled Substances,  
20 as charged in Count 1 of this Indictment.

21 The Grand Jury further alleges that this offense was committed during and in  
22 furtherance of the Conspiracy to Commit Money Laundering, charged in Count 6, above.

23 The Grand Jury further alleges that MICHAEL JOHN SCOTT committed this  
24 offense while on release pursuant to an appearance bond dated December 12, 2018,  
25 issued by the United States District Court for the Western District of Washington, in  
26 *United States v. Michael John Scott*, case number CR18-5579-RBL.

27 All in violation of Title 18, United States Code, Sections 1956(a)(2)(A) and 2, and  
28 3147(1).



## ASSET FORFEITURE ALLEGATIONS

### *Drug Offenses*

The allegations in Counts 1 through 3 of this First Superseding Indictment are hereby realleged and incorporated by reference herein for the purpose of alleging forfeiture to the United States pursuant to Title 21, United States Code, Section 853.

Pursuant to Title 21, United States Code, Section 853, upon conviction of the felony drug offenses charged in Counts 1 through 3, defendant MICHAEL JOHN SCOTT shall forfeit to the United States of America any and all property, real or personal, constituting or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of such offenses, and shall further forfeit any and all property, real or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses. The property to be forfeited includes, but is not limited to, the following:

- a. Fourteen thousand, one hundred dollars (\$14,100.00), more or less, seized from a 2014 black BMW 535 bearing Washington license plate BMV064, located in Whatcom County, Washington, on January 30, 2020;
- b. Nine thousand, nine hundred and eighty dollars (\$9,980.00), more or less, seized from 8024 150th Street SE, Snohomish, Washington, on January 30, 2020;
- c. Two gold fifty-dollar (\$50) bars, seized from 8024 150th Street SE, Snohomish, Washington, on January 30, 2020;
- d. Two one-ounce gold bars, seized from 8024 150th Street SE, Snohomish, Washington, on January 30, 2020;
- e. Four wristwatches, to include: (1) a limited edition Chicago Cubs wristwatch; (2) a silver Rolex wristwatch; (3) a Gucci wristwatch; and (4) a ladies Rolex wristwatch, all seized from 8024 150th Street SE, Snohomish, Washington, on January 30, 2020;

- 1 f. Two diamond rings, seized from 8024 150th Street SE, Snohomish,  
2 Washington, on January 30, 2020; and  
3 g. A sum of money representing the proceeds that MICHAEL JOHN SCOTT  
4 obtained as a result of the Conspiracy to Distribute Controlled Substances,  
5 as alleged in Count 1, above.

6 ***Firearms Offenses***

7 The allegations in Counts 4 and 5 of this First Superseding Indictment are hereby  
8 realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to  
9 Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section  
10 2461(c).

11 Upon conviction of the felony offenses alleged in Counts 4 and 5, defendant  
12 MICHAEL JOHN SCOTT shall forfeit to the United States any firearms or ammunition  
13 involved in or used in any knowing violation of Title 18, United States Code, Section  
14 922(g), including, but not limited to, the following:

- 15 a. One Colt Delta Elite 10mm semi-automatic pistol, bearing serial number  
16 DS42017, ammunition and a magazine, seized from 8024 150th Street SE,  
17 Snohomish, Washington, on January 30, 2020.

18 ***Money Laundering Offenses***

19 The allegations in Counts 6 and 7 of this First Superseding Indictment are hereby  
20 realleged and incorporated by reference herein for the purposes of alleging forfeiture to  
21 the United States pursuant to Title 18, United States Code, Section 982(a)(1).

22 Upon conviction of the felony offenses in violation of Title 18, United States  
23 Code, Sections 1956, as charged in Counts 6 and 7, MICHAEL JOHN SCOTT shall  
24 forfeit to the United States of America any property, real or personal, involved in such  
25 offense, and any property traceable to such property, including but not limited to a  
26 judgment for a sum of money representing the property described in this paragraph.

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1 *Substitute Assets*

2 If any of the property described above, as a result of any act or omission of the  
3 defendant:

- 4 a. cannot be located upon the exercise of due diligence;  
5 b. has been transferred or sold to, or deposited with, a third party;  
6 c. has been placed beyond the jurisdiction of the Court;  
7 d. has been diminished in value; or  
8 e. has been commingled with other property which cannot be divided without  
9 difficulty,

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1 it is the intent of the United States, pursuant to Title 21, United States Code, Section  
2 853(p), to seek the forfeiture of any other property of the defendants up to the value of  
3 the above-described forfeitable property.

4  
5 A TRUE BILL:

6 DATED: January 27, 2021

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8 *(Signature of Foreperson redacted*  
9 *pursuant to the policy of the Judicial*  
10 *Conference of the United States)*

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FOREPERSON

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13 BRIAN T. MORAN  
14 United States Attorney

15  
16 VINCENT T. LOMBARDI  
17 Assistant United States Attorney

18  
19  
20 MARCI L. ELLSWORTH  
21 Assistant United States Attorney

22  
23 KARYN S. JOHNSON  
24 Assistant United States Attorney